

PTOSB33 (11-00)

Approved for use through 10/31/2002. OMB 0651-0011

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Wing-Kuen Chung
Title	A Method and Apparatus For Providing Forwarding On Ring-No-Answer For Remote
Attorney Docket Number	81862P109

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

9/17/02  
Date



Signature

Robert B. O'Rourke, Reg. No. 46,972

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 112(b)(2)(B)(iii)).

Barren Tree Statement: This collection of information is required by 37 CFR 1.312(a). This information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.16. This form is scheduled to take 6 minutes to complete. Time will vary depending upon the terms of the individual case. Any comments on the accuracy of time you are requested to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND PRINTED OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patent, Washington, DC 20231.

# BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

A LIMITED LIABILITY PARTNERSHIP  
INCLUDING LAW CORPORATION

TELEPHONE (408) 720-8300

FACSIMILE (408) 720-9307

1977 MAIL STREET  
WWW.USL.COM

INTELLECTUAL PROPERTY LAW

60 SOUTH MARKET STREET, SUITE 510  
SAN JOSE, CALIFORNIA 95113

OTHER OFFICES

AUSTIN, TX  
LOS ANGELES, CA  
ORANGE COUNTY / COSTA MESA, CA  
SAN DIEGO / LA JOLLA, CA  
PORTLAND / LAKE OSWEGO, OR  
SEATTLE / KIRKLAND, WA  
DENVER / ENGLEWOOD, CO

## FACSIMILE TRANSMITTAL SHEET

Deliver to: Kevin Harper (Copies of CPA filed on 9/17/2002 per your phone conversation on 10/29/02)

Firm Name: U.S. PATENT AND TRADEMARK OFFICE

Fax Number: 703-872-9314

Telephone No.: \_\_\_\_\_

From: Robert B. O'Rourke

Reg. No.: 46,972

Date: October 29, 2002

Time: 11:30 am

RSTZ Matter: 081862.P109

Number of pages including cover sheet: 46

In Re Patent Application of: Wing-Kuen Chung

Application No.: 02/164,426

Filed: September 30, 1998

Title: A Method and Apparatus For Providing Forwarding On Ring-No-Answer For Remote Telephone Extension Using Voice Over

Enclosed are the following documents:

• Amendment/Response (____ pgs)	• Declaration & PoA (____ pgs)	• Reply Brief (____ pgs)
• Appxal Brief (____ pgs) (in triplicate)	• Drawings: ____ # of sheets w/ ____ figs.	• Small Entity Statement
• 1.53(b) Cont. Application (____ pgs)	X IDS & PTO 1449 (6____ pgs) Copy	• Transmittal Letter (____ pgs) (in duplicate)
• 1.53(b) Divisional Application (____ pgs)	• Issue Fee Transmittal (____ pgs)	• Fee Transmittal (____ pgs) (in duplicate)
• 1.53(b) CIP Application (____ pgs)	• Notice of Appeal (____ pgs)	• Deposit Account Authorization
X 1.53(d) CPA Transmittal (____ pgs) Copy	• Petition re _____	X Other: Non Publication Request (2 )
• PCT Application (____ pgs)	• Power of Attorney (____ pgs)	X Other: Copy of Return Postcard
• Provisional Application (____ pgs)	• Declaration by Inventor(s) (____ pgs)	X Other: Copy Express Mail Label
• Assignment & Cover Sheet (____ pgs)	• Supplemental Declaration (____ pgs)	X Other: Copy of Check
X Certificate of Transmittal by Fax	X Preliminary Amendment (30 pgs) Copy	• Other: _____

## CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on:

Date of Transmission October 29, 2002

Jayce Shannon

(Typed or printed name of person transmitting paper)

Jayce Shannon 10-29-2002

(Signature of person transmitting paper)

## CONFIDENTIALITY NOTE

The documents accompanying this facsimile transmission contain information from the law firm of Blakely Sokoloff Taylor & Zafman LLP that is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you. IF YOU EXPERIENCE ANY DIFFICULTY IN RECEIVING THE ABOVE PAGES, PLEASE CALL: (408) 720-8598 AND ASK FOR THE OPERATOR NAMED ABOVE.

Application No. 09/164,426 Filing Date: 09/30/98 BSTZ Docket #: 081862 P109 Atty/Sec: LJV/RDM/s  
Date Mailed: 09/22/2002 Docket Due Date(s): 09/22/2002 Client: Giaco Technology, Inc.  
Title A Method and Apparatus For Providing Forwarding On Ring-No-Answer For Remote Telephone Extensions Using  
Voicemail Over...

Inventor(s) Chung, Eihwang, Tanker

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- |                                                                             |                                                                                                  |
|-----------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Amendment: Preliminary ( <u>30</u> pgs) | <input checked="" type="checkbox"/> Information Disclosure Statement & PTO/SB/08 ( <u>6</u> pgs) |
| <input type="checkbox"/> Appeal Brief & two copies ( <u>  </u> pgs)         | <input type="checkbox"/> Issue Fee Transmittal (original & copy)                                 |
| <input type="checkbox"/> Application:                                       | <input checked="" type="checkbox"/> Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)       |
| ( <u>  </u> pages w/ cover & abstract)                                      | <input type="checkbox"/> Notice of Appeal                                                        |
| <input type="checkbox"/> Assignment & Cover Sheet ( <u>  </u> pgs)          | <input type="checkbox"/> Petition for: <u>  </u>                                                 |
| <input type="checkbox"/> Certificate of                                     | <input type="checkbox"/> Request for Continued Examination (RCE)                                 |
| <input checked="" type="checkbox"/> Continued Prosecution Application (CPA) | <input type="checkbox"/> Reply Brief ( <u>  </u> pgs)                                            |
| <input type="checkbox"/> Declaration & POA ( <u>  </u> pgs)                 | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request                      |
| <input type="checkbox"/> Drawings: <u>  </u> sheets, <u>  </u> figures      | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter                |
| <input checked="" type="checkbox"/> Express Mail No: <u>EL867552869US</u>   | <input type="checkbox"/> Terminal Disclaimer                                                     |
| <input type="checkbox"/> Extension of Time: <u>  </u>                       | <input type="checkbox"/> Transmittal of Formal Drawings                                          |
| <input type="checkbox"/> Fee Transmittal (original & copy)                  | <input type="checkbox"/> Transmittal of Publication Fee Due                                      |
| <input checked="" type="checkbox"/> Other: <u>Copies of cited art (4)</u>   | <input type="checkbox"/> Transmittal Letter                                                      |
| <u>Return Envelope</u>                                                      | <input checked="" type="checkbox"/> Check No. <u>52443</u> in the Amount of <u>\$1,508.00</u>    |
|                                                                             | <input type="checkbox"/> Check No. <u>  </u> in the Amount of <u>  </u>                          |

SV

EL867552869US



**EXPRESS**  
**MAIL**

**POST OFFICE  
TO ADDRESSEE**



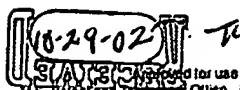
EL 867552869 US

[illegible]

**Mailing Label**  
Label 11-F August 2000

FD-350  
T12

340/ 520



PTO/EB/20 (10-00)

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# **CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL**

CHECK BOX, if applicable:

☐ **DUPLICATE**

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

Address to:  Assistant Commissioner for Patents Box CPA Washington, DC 20231	Attorney Docket No. of Prior Application	81862P109
	First Named Inventor	Wing -Kuen Chung
	Examiner Name	Kevin C. Harper
	Group/Art Unit	2664
	Express Mail Label No.	FL867552869US

This is request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 02/164,426, filed on September 30, 1998, entitled A Method and Apparatus For Providing Forwarding On Ring-No-Answer For Remote Telephone Extensions Using Voice Over.

## **NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) compliant as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or plant application if the prior nonprovisional application was filed before May 20, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50093 (Aug. 10, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR § 1.53(d), but must be filed under 37 CFR 1.63(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR § 1.79(a).

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

- ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR § 1.116 in the prior nonprovisional application.
- ☒ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).
  - ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_
  - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
  - ☒ PTO-1449
  - ☒ Copies of IDS Citations

(Page 1 of 2)

Duration: Four Statements. The form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES ON COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

PTO/SB/29 (10-00)  
Approved for use through 10/31/2002 OMB 051-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(a) or (b))		58 -20* =	38	x \$ 18.00 =	\$ 684.00
INDEPENDENT CLAIMS (37 CFR 1.16(a) or (b))		4 -3** =	1	x \$ 84.00 =	84.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+\$ _____ =	
BASIC FEE (37 CFR 1.16)					740.00
Total of above Calculations =					\$1,508.00
Reduction by 50% for filing by small entity (Note 37 CFR 1.27).					
* Retain in claims in excess of 20 and over original patent. ** Retain independent claims over original patent.				TOTAL =	\$1508.00

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 02 2666:

a. ☐ Fees required under 37 CFR 1.16.  
b. ☒ Fees required under 37 CFR 1.17.  
c. ☐ Fees required under 37 CFR 1.18.

8. ☒ A check in the amount of \$1,508.00 is enclosed.

9. ☐ Payment by credit card. Form PTO-2038 is attached.

10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of \_\_\_\_\_ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) enclosed.

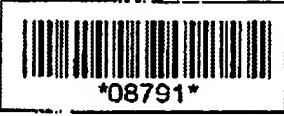
11. ☐ New Attorney Docket Number, if desired  
(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)

12. a. ☐ Receipt for Facsimile Transmitted CPA (PTO/SB/29A)  
b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)

13. ☐ Other: \_\_\_\_\_

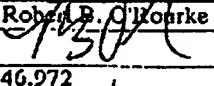
**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

**10. NEW CORRESPONDENCE ADDRESS**

☐ Customer Number or Bar Code Label  \*08791\* or ☒ Correspondence address

Name	Robert B. O'Rourke				
Address	Blakely, Sokoloff, Taylor & Zafman LLP				
	12400 Wilshire Boulevard, Seventh Floor				
City	Los Angeles	State	California	Zip Code	90025-1030
Country	USA	Telephone	(408) 720-8300	Fax	(408) 720-8383

**15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

NAME (Print/Type)	Robert B. O'Rourke
SIGNATURE	
Registration No. (Attorney/Agent)	46,972
DATE	9/17/02

[Page 2 of 2]